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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PATRICIA KENNEDY, an individual,

Plaintiff,

vs.

UNIVERSITY MEDICAL CENTER a.k.a.  
UNIVERSITY MEDICAL CENTER OF  
SOUTHERN NEVADA a.k.a. UMC, a  
political subdivision of Nevada; DOES I-V;  
ROES VI-X,

Defendants.

Case No: 2:14-cv-01678-RFB-(PAL)

**STIPULATION AND ORDER  
REGARDING FILING  
OF  
JOINT PRE-TRIAL ORDER**

Plaintiff Patricia Kennedy, by and through her attorney, Dan M. Winder, Esq. of the Law Office of Dan M. Winder, P.C., and Defendant University Medical Center, by and through its attorney, Jeffrey I. Pitegoff, Esq., hereby stipulate and agree:

1. The Joint-Pretrial Order in this matter is to be filed within 30 days after entry of this Honorable Court's decision on Plaintiff's Motion to Alter or Amend (Dkt. #71) this Honorable Court's Opinion & Order (Dkt. #69) on Defendant UMC's Motion for Summary Judgment (Dkt. #50).

The reasons for this request are the following:

1. The Joint Pre-Trial Order is a plan for trial. In the instant case, Plaintiff hopes that additional claims will be allowed to proceed to trial. Therefore, should Plaintiff prevail in her Motion to Alter or Amend, the contents of the Pre-Trial Order would be different than at the current moment.
2. In the interest of judicial economy, as the parties are currently briefing Plaintiff's Motion to Alter or Amend, filing the Joint Pre-Trial Order after resolution of Plaintiff's Motion to Alter or Amend would be more efficient, especially should Plaintiff's Motion to Alter or Amend change this Honorable Court's decision on Defendant's Motion for Summary Judgment.

DATED this 26th day of September, 2016      DATED this 26th day of September, 2016

LAW OFFICE OF DAN M. WINDER, P.C.

MORRIS, SULLIVAN, LEMKUL &  
PITEGOFF

By: /s/ Kristina Miletovic for Dan Winder

By: /s/ Jeffrey Pitegoff

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### **ORDER**

**IT IS HEREBY ORDERED** that the parties' stipulation is **DENIED**. This case is

1 nearly two years old and pursuant to the provisions of the Civil Justice Reform Act should be  
2 tried no later than October 12, 2017. The court will set a trial date once the joint pretrial order is  
3 filed. Delaying the filing of the joint pretrial order while a motion to amend or correct the  
4 district judge's decision and order is pending may make it impossible for the case to be set for  
5 trial within 3 years of the date of filing. The parties may address the impact of the outcome of  
6 the pending motion in their joint pretrial order.

7 IT IS FURTHER ORDERED that counsel shall have until October 24, 2016, to file the joint  
8 pretrial order.

9 IT IS SO ORDERED this 4th day of October, 2016.

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12 UNITED STATES MAGISTRATE JUDGE  
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**CERTIFICATE OF SERVICE**

Pursuant to LR 5-1, I hereby certify that I am an employee of the LAW OFFICE OF DAN M. WINDER, P.C., and that on the 26th day of September, 2016, I served the foregoing **STIPULATION AND ORDER REGARDING FILING OF JOINT PRE-TRIAL ORDER** on counsel as follows:

E-Service pursuant to LR 5-4:

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*Attorneys for Defendant University Medical Center*

/s/ Kristina Miletovic

Employee of the Law Office of Dan M. Winder P.C.